

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION**

|                                    |   |                               |
|------------------------------------|---|-------------------------------|
| CRISTOBAL ALVAREZ, <i>et al.</i> , | ) |                               |
|                                    | ) |                               |
| Plaintiffs,                        | ) |                               |
|                                    | ) |                               |
| v.                                 | ) | Case No. 2:17-cv-00414-RJ-JEM |
|                                    | ) |                               |
| ATLANTIC RICHFIELD COMPANY,        | ) |                               |
| <i>et al.</i> ,                    | ) |                               |
|                                    | ) |                               |
| Defendants.                        | ) |                               |

**DEFENDANT MINING REMEDIAL RECOVERY COMPANY,  
ARAVA NATURAL RESOURCES COMPANY, INC., AND  
MUELLER INDUSTRIES, INC.'S MOTION TO DISMISS**

Pursuant to Rules 12(b)(1), 12(b)(6) and 8(a) of the Federal Rules of Civil Procedure, Defendants Mining Remedial Recovery Company, Arava Natural Resources Company, Inc., and Mueller Industries, Inc. (collectively, “Affiliates”) respectfully move this Court to dismiss Plaintiffs’ complaint on the ground that the pleading fails to establish personal jurisdiction over the Defendants in this action and fails to state any claim against them upon which relief can be granted.

In support of this motion, Affiliates filed concurrently a supporting memorandum pursuant to N.D. Ind. L.R. 7-1(b)(1). Additionally, Affiliates filed with this motion its request for the Court to take judicial notice of six publicly available documents that are referenced in the accompanying memorandum.

WHEREFORE Defendants Mining Remedial Recovery Company, Arava Natural Resources Company, Inc., and Mueller Industries, Inc. respectfully request the Court to dismiss them as to all counts in the complaint and for all other just and appropriate relief.

Dated: January 22, 2018

Respectfully submitted,

/s/ Kevin M. Toner

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Refinery, Inc., Mining Remedial Recovery  
Company, Arava Natural Resources Company, Inc.,  
and Mueller Industries, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 22, 2018, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Kevin M. Toner

Kevin M. Toner